

JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

FEB - 8 2006

FILED
CLERK'S OFFICE

DOCKET NO. 1596
C 05-4903 SC

BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

IN RE ZYPREXA PRODUCTS LIABILITY LITIGATION

(SEE ATTACHED SCHEDULE)

CONDITIONAL TRANSFER ORDER (CTO-42)

FILED

APR 17 2006

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

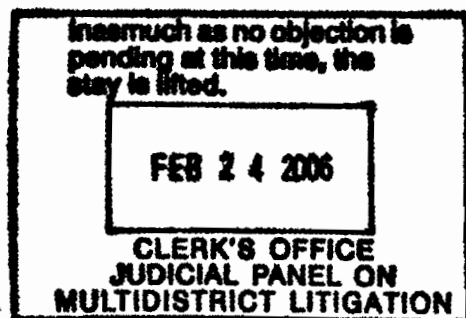
On April 14, 2004, the Panel transferred six civil actions to the United States District Court for the Eastern District of New York for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. Since that time, 253 additional actions have been transferred to the Eastern District of New York. With the consent of that court, all such actions have been assigned to the Honorable Jack B. Weinstein.

It appears that the actions on this conditional transfer order involve questions of fact which are common to the actions previously transferred to the Eastern District of New York and assigned to Judge Weinstein.

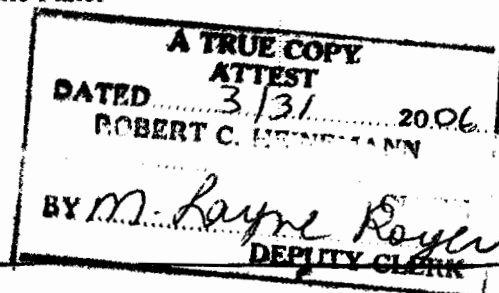
Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Eastern District of New York for the reasons stated in the order of April 14, 2004, 314 F.Supp.2d 1380 (J.P.M.L. 2004), and, with the consent of that court, assigned to the Honorable Jack B. Weinstein.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Eastern District of New York. The transmittal of this order to said Clerk shall be stayed fifteen (15) days from the entry thereof and if any party files a notice of opposition with the Clerk of the Panel within this fifteen (15) day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:



Michael J. Beck
Michael J. Beck
Clerk of the Panel



UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

ROBERT C. HEINEMANN
Clerk
TERRY L. VAUGHN
Operations Manager

U.S. Courthouse
225 Cadman Plaza East
Brooklyn, New York 11201
(718) 613-2330
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March 31, 2006

Richard W. Wieking, Clerk of Court
Office of the Clerk
United States District Court
Northern District of California
450 Golden Gate Avenue, Rm. 16-1111
San Francisco, CA 94102

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APR 17 2006

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

In re: **Zyprexa Products Liability Litigation**
MDL No. 1596

Civil Action:

Daniel Kinder Vs. Eli Lilly & Co.

Our Civil Action No.: 1:06-cv-1325 (JBW)(RLM)

Your Civil Action No.: 3:05-cv-4903 SC

Dear Mr. Wieking:

Enclosed is a copy of the MDL Panel's transfer order in regard to the above mentioned case. Please send us your file and a certified copy of your docket sheet w/attached cover letter for the consolidation of this case into MDL 1596.

Very truly yours,

Monique Layne Royer
Deputy Clerk

Enclosures